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6 UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JEREMY HANNAFORD,

9 Plaintiff,

10 v.

11 ARTHUR & SHIRLEY, INC.,

12 Defendant.
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CASE NO. 2:23-cv-02013-RSL

ORDER OF DISMISSAL

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15 This matter was filed on December 30, 2023. Dkt. # 1. On April 5, 2024, plaintiff
16 was ordered to show cause why the case should not be dismissed for failure to serve the
17 summons and complaint within the time allowed by Fed. R. Civ. P. 4(m). Dkt. # 5. In
18 response, plaintiff asserts that he has made a total of eight attempts to serve at an address
19 found on “the WA Secretary of State website,” despite knowing for months that the house
20 at that address was under construction and the defendant could not be found there. Dkt.
21 # 6. Plaintiff subsequently made an effort to identify another potential address at which
22 defendant could be served, but to no avail. He intends to file a motion for service by
23 alternative means in the future.

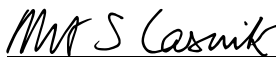
24 A plaintiff has 90 days after the complaint is filed to serve the summons and
25 complaint on the defendant. “[T]he court—on motion or on its own after notice to the
26 plaintiff—must dismiss the action without prejudice against that defendant or order that

1 service be made within a specified time” unless “plaintiff shows good cause for the failure
2” Fed. R. Civ. P. 4(m). Plaintiff has not shown good cause. Repeated attempts to serve
3 at the wrong address is not diligence, nor does plaintiff explain why the motion for leave to
4 use alternative means of service was not filed within the 90-day period. The Washington
5 Secretary of State’s Corporations and Charities Filing System reveals an entirely different
6 street address for defendant, an address which has been in the public records since at least
7 May 2023 when defendant filed its last Annual Report. *See*

8 [https://ccfs.sos.wa.gov/?_gl=1*1ydf9o4*_ga*MTA2OTc1ODY0Ny4xNzA0Mzk0NDky*_](https://ccfs.sos.wa.gov/?_gl=1*1ydf9o4*_ga*MTA2OTc1ODY0Ny4xNzA0Mzk0NDky*_ga_7B08VE04WV*MTcxMzkwODE0OC4zLjAuMTcxMzkwODE0OC4wLjAuMA..#/BusinessSearch)
9 [ga_7B08VE04WV*MTcxMzkwODE0OC4zLjAuMTcxMzkwODE0OC4wLjAuMA..#/Bu](https://ccfs.sos.wa.gov/?_gl=1*1ydf9o4*_ga*MTA2OTc1ODY0Ny4xNzA0Mzk0NDky*_ga_7B08VE04WV*MTcxMzkwODE0OC4zLjAuMTcxMzkwODE0OC4wLjAuMA..#/BusinessSearch)
10 [sinessSearch](https://ccfs.sos.wa.gov/?_gl=1*1ydf9o4*_ga*MTA2OTc1ODY0Ny4xNzA0Mzk0NDky*_ga_7B08VE04WV*MTcxMzkwODE0OC4zLjAuMTcxMzkwODE0OC4wLjAuMA..#/BusinessSearch) and
11 [https://ccfs.sos.wa.gov/?_gl=1*1ydf9o4*_ga*MTA2OTc1ODY0Ny4xNzA0Mzk0NDky*_](https://ccfs.sos.wa.gov/?_gl=1*1ydf9o4*_ga*MTA2OTc1ODY0Ny4xNzA0Mzk0NDky*_ga_7B08VE04WV*MTcxMzkwODE0OC4zLjAuMTcxMzkwODE0OC4wLjAuMA..#/BusinessSearch/BusinessFilings)
12 [ga_7B08VE04WV*MTcxMzkwODE0OC4zLjAuMTcxMzkwODE0OC4wLjAuMA..#/Bu](https://ccfs.sos.wa.gov/?_gl=1*1ydf9o4*_ga*MTA2OTc1ODY0Ny4xNzA0Mzk0NDky*_ga_7B08VE04WV*MTcxMzkwODE0OC4zLjAuMTcxMzkwODE0OC4wLjAuMA..#/BusinessSearch/BusinessFilings)
13 [sinessSearch/BusinessFilings](https://ccfs.sos.wa.gov/?_gl=1*1ydf9o4*_ga*MTA2OTc1ODY0Ny4xNzA0Mzk0NDky*_ga_7B08VE04WV*MTcxMzkwODE0OC4zLjAuMTcxMzkwODE0OC4wLjAuMA..#/BusinessSearch/BusinessFilings).
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15 In the absence of good cause, the above-captioned matter is hereby DISMISSED
16 without prejudice.

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18 Dated this 8th day of May, 2024.

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20 Robert S. Lasnik
21 United States District Judge
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